



Docket No. 010.00131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lim et al. Confirmation No.: 5006
Serial No.: 10/082,959 Group Art Unit: 1642
Filed: February 26, 2002 Examiner: Ungar, Susan
Title: SPERM PROTEIN 17 FOR THE DIAGNOSIS AND TREATMENT
OF CANCER

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 7, 2006.

Kathy Smith Dias
Kathy Smith Dias, Esq
Registration No. 41,707
Attorney for Applicants

Date of Signature: March 7, 2006

DECLARATION UNDER 37 CFR §1.131

Dear Sir:

We, Seah H. Lim, Maurizio Chiriva-Internati, and Zhiqing Wang, declare as follows:

1. We are inventors of the subject matter described and claimed in the United States Patent Application Serial No. 10/082,959, filed February 26, 2002, entitled "Sperm Protein 17 for the Diagnosis and Treatment of Cancer", which subject matter is disclosed and claimed in the above-referenced patent application.
2. We are co-authors of an article entitled "Sperm protein 17 (SP17)-primed cytotoxic T lymphocytes lyse SP17-positive myeloma cells: potential for SP17 vaccines in multiple myeloma (MM)", published in Blood 96(11) Part 2, on page 272b on November 16, 2000, and we are the inventors of the subject matter which is disclosed in this publication and disclosed and claimed in the above-referenced patent application.

3. The instant application, Serial Number 10/082,959, claims the priority of US provisional application 60/271,516, filed February 26, 2001. The provisional application was filed within one year of the publication of the article cited by the Office Action dated February 28, 2005 relative to the present application. The disclosure in 60/271,516 encompasses the disclosure in the cited reference.

4. In addition to ourselves, there is one additional co-author of the listed article, Yuying Xue. While Yuying Xue is co-author of the publication, he/she is not a co-inventor of the subject matter described therein.

5. Yuying Xue was a technician in the laboratory of inventor Lim working under his supervision and control on the experiments described in the publication.

6. Yuying Xue was not an inventor of the subject matter described in the article or in the presently pending patent application, but was listed as co-author of the article in order to receive credit for having collaborated in the research program under our direction and control.

7. We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.


Date: 2/24/06

By: 
Seah H. Lim

Date: 2/25/06

By: 
Marizio Chiriva-Internati

Date: 2/25/06

By: 
Zhigang Wang